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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,329	02/17/2004	Jeff Grady	4185-101 CIP2	1103
23448	7590	11/15/2006	EXAMINER	
INTELLECTUAL PROPERTY / TECHNOLOGY LAW.			VO, NGUYEN THANH	
PO BOX 14329			ART UNIT	
RESEARCH TRIANGLE PARK, NC 27709			PAPER NUMBER	
			2618	

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/780,329

Applicant(s)

GRADY, JEFF

Examiner

Nguyen T. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-11,14-24,27 and 29-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3-6,8,9,11,14-22,24,27 and 29-51 is/are allowed.
- 6) ☒ Claim(s) 10,23 and 52-68 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the **frequency indicator** and **frequency tuning control** as in independent claims 1, 17 and 52 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 10, 23, 56 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As to claims 10, 23, 56, the original specification fails to disclose an IEEE 1394-compliant coupling as newly recited in the claims.

Examiner's Note

4. The limitations in claims 1, 3-6, 8-11, 14-24, 27 and 29-68 are not supported by the parent applications 10/615,108 and 10/197,367. Therefore, the effective filing date of the present invention is February 17th, 2004.
5. It is noted that independent claim 52 does not clearly recite that it is the modular docking unit which comprises a frequency indicator and a frequency tuning control as in independent claims 1 and 17. Therefore, claim 52 is not allowed as claims 1 and 17.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 52-60, 62-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fadell (US 2004/0224638 A1, cited by applicant) in view of Qureshey (US 2002/0002039 A1, cited by examiner).

As to claim 52, Fadell discloses an audio player (see figure 12; see also the boom box at paragraph [0058]) adapted for use with a portable digital media player having a storage medium adapted to receive and store digital media files (see the MP3 player at paragraph [0043]), the audio player comprising a main body portion having a docking cavity adapted to receive said portable digital media player (see figure 12), wherein the docking cavity includes therein an electrical coupling element adapted to engage the portable digital media player when the portable digital media player is received by the docking cavity (see paragraphs [0007], [0074], [0081], [0088], [0091], [0096], [0107]); an FM receiver (see paragraph [0100]); and at least one speaker 376 (see figure 12) associated with the main body portion and selectively operable with (1) the FM receiver, and (2) the portable digital media player when received by the docking cavity, to output audible signals (see paragraphs [0007], [0074], [0081], [0088], [0091], [0096], [0107]). Fadell thus discloses all the claimed limitations except that the main body portion comprises an associated frequency indicator and a frequency tuning control as claimed. Qureshey discloses an audio player having a main body portion comprising a frequency indicator and a frequency tuning control (see figures 13A-13B; paragraphs [0134]-[0137]). Therefore, it would have been obvious to one of ordinary

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skill in the art at the time of the invention to provide the above teaching of Qureshey to Fadell, in order to allow the user to easily visualize which channel the FM receiver is tuned to.

As to claim 53, Fadell discloses the MP3 player at paragraph [0043].

As to claim 54, see Fadell, paragraphs [0007], [0074], [0081], [0088], [0091], [0096], [0107].

As to claims 55-57, 60, 64-65, see Fadell, paragraph [0074].

As to claim 58, the combination of Fadell and Qureshey discloses the claimed limitations (see Qureshey, figure 18B).

As to claim 59, the combination of Fadell and Qureshey discloses the claimed limitations (see Qureshey, figures 13A-13B, paragraphs [0134]-[0137]).

As to claim 62, see Fadell, paragraphs [0060], [0063], [0095].

As to claim 63, the combination of Fadell and Qureshey discloses an amplifier as claimed (see Qureshey, paragraph [0137]).

As to claim 66, Fadell discloses a plurality of speakers 376 (see figure 12).

As to claim 67, Fadell discloses a boom box as claimed (see paragraph [0058]).

As to claim 68, it is rejected for similar reasons as set forth in claim 52.

8. Claim 61 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fadell in view of Qureshey as applied to claim 52 above, and further in view of Dimenstein (US 2002/0086703, cited by examiner).

As to claim 61, the combination of Fadell and Qureshey fails to disclose that the indicator light indicates the charging status of a battery in the MP3 player docked in the

docking cavity of the docking unit as claimed. Dimenstein discloses an indicator light 118 indicating the charging status of a battery in a communication device 109 docked in the docking cavity of a docking unit 100 (see paragraph [0035]). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the above teaching of Dimenstein to the combination of Fadell and Qureshey, in order to allow the user to visualize the charging state of the battery (as suggested by Dimenstein at paragraph [0035]).

Allowable Subject Matter

9. Claims 1, 3-6, 8-9, 11, 14-22, 24, 27, 29-51 are allowed.

Response to Arguments

10. Applicant's arguments with respect to claims 1, 3-6, 8-11, 14-24, 27, 29-68 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dwyer (US 2005/0088620 A1) discloses MP3 players with audio systems.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen T. Vo whose telephone number is (571) 272-7901. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571)272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Nguyen Vo

Nguyen Vo
11-12-2006

NGUYEN T. VO
PRIMARY EXAMINER